

Evan Frank

From: Evan Frank
Sent: Monday, October 4, 2021 3:24 PM
To: Donna Marley
Cc: Alan Frank; Trevor C. Serine, Esq.
Subject: RE: AC2T, Inc. v. Purrington – Civil Action No. 19-5946

Please note that these issues are still not resolved, despite defense counsel's e-mail below:

1. Defendant still refuses to attend a deposition after now almost 6 months of me trying to schedule it.
Please also note that the pleadings are in fact closed, despite defense counsel's statement otherwise.
2. Defendant still has not responded to our 2nd document requests (Ex. A to our letter), which are now 7 ½ months overdue.

We therefore request the court rule on our discovery letter.

Respectfully,

Evan L. Frank, Esquire

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From: Trevor C. Serine, Esq. <TCS@Serinelaw.com>
Sent: Thursday, September 30, 2021 12:44 PM
To: Evan Frank <EFrank@alflaw.net>; Donna Marley <Donna_Marley@paed.uscourts.gov>
Cc: Alan Frank <afrank@alflaw.net>
Subject: Re: AC2T, Inc. v. Purrington – Civil Action No. 19-5946

I apologize for the delay in response, I was in Court this morning.

With all due respect to opposing counsel, the pleadings stage has not yet closed, and therefore it is inappropriate to schedule any depositions at this time. Further, Plaintiff has failed to provide its relevant discovery, and an order has just been entered against them for same.

I intend to discuss these other outstanding discovery issues with opposing counsel by the end of this week, to attempt to resolve any purported issues. If there is an agreement, we will advise the Court accordingly.

Thanks,

On 9/29/2021 9:48 PM, Evan Frank wrote:

No, unfortunately it has not been resolved. Defense has still not offered deposition dates, has not produced the documents, and has not served responses.

From: Donna Marley <Donna_Marley@paed.uscourts.gov>

Sent: Wednesday, September 29, 2021 4:25 PM

To: Evan Frank <EFrank@afflaw.net>; Alan Frank <afrank@afflaw.net>; TCS@serinelaw.com

Subject: AC2T, Inc. v. Purrington – Civil Action No. 19-5946

Good afternoon Counsel:

Back in August Chambers received correspondence indicating a discovery dispute. Please advise if the parties have resolved this matter.

Thank you.

Donna Marley

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